SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

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Case Number: CGC-11-516116

Filing Date: Nov-23-2011 12:57

Juke Box: 001 Image: 03397018

COMPLAINT

CITY AND COUNTY OF SAN FRANACISCO, A MUNICIPAL et al VS. THOMAS W LIGGONS

001C03397018

Instructions:

Please place this sheet on top of the document to be scanned.

SUMMONS
(CITACION JUDICIAL)

SUM-100

ORIGINAL

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT: THOMAS W. LIGGONS, WILLIAM B. LIGGONS, GREGORY L. LIGGONS, ROSE MARIE WARREN, JAMES H. LIGGONS, and DOE ONE through DOE FIFTY, inclusive,
(AVISO AL DEMANDADO):

YOU ARE BEING SUED BY PLAINTIFF: CITY AND COUNTY OF SAN FRANCISCO, a Municipal Corporation, and the PEOPLE OF THE STATE OF CALIFORNIA, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (*www.courtinfo.ca.gov/selfhelp*), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (*www.lawhelpcalifornia.org*), the California Courts Online Self-Help Center (*www.courtinfo.ca.gov/selfhelp*), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of $10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.
¡AVISO! *Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a* continuación

*Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (*www.sucorte.ca.gov*), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.*

*Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (*www.lawhelpcalifornia.org*), en el Centro de Ayuda de las Cortes de California, (*www.sucorte.ca.gov*) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de $10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.*

The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE CITY AND COUNTY OF SAN FRANCISCO
400 McAllister Street, Room 103
San Francisco, CA 94102

CASE NUMBER:
(Número del Caso): CGC-11-516116

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
DENNIS J. HERRERA, City Attorney p 415-554-3858 f 415-437-4644
CELIA W. LEE, Deputy City Attorney (SBN 172981)
1390 Market Street, Sixth Floor
San Francisco, CA 94102-5408

DATE: NOV 23 2011
(Fecha)

CLERK OF THE COURT
Clerk, by ROSSALY DE LA VEGA NAVARRO, Deputy
(Secretario) *(Adjunto)*

(For proof of service of this summons, use Proof of Service of Summons *(form POS-010).)*
(Para prueba de entrega de esta citatión use el formulario Proof of Service of Summons, *(POS-010)).*

[SEAL]

NOTICE TO THE PERSON SERVED: You are served
1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of *(specify):*
3. ☐ on behalf of *(specify):*

under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ other *(specify):*

4. ☐ by personal delivery on *(date):*

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 [Rev. July 1, 2009]

SUMMONS

Legal Solutions Plus

Code of Civil Procedure §§ 412.20, 465

ORIGINAL

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Attorneys for Plaintiffs
CITY AND COUNTY OF SAN FRANCISCO AND
PEOPLE OF THE STATE OF CALIFORNIA

FILED
San Francisco County Superior Court
NOV 23 2011
CLERK OF THE COURT
BY: Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

UNLIMITED JURISDICTION

CITY AND COUNTY OF SAN FRANCISCO, a Municipal Corporation, and the PEOPLE OF THE STATE OF CALIFORNIA, by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, Plaintiffs, vs. THOMAS W. LIGGONS, WILLIAM B. LIGGONS, GREGORY L. LIGGONS, ROSE MARIE WARREN, JAMES H. LIGGONS, and DOE ONE through DOE FIFTY, inclusive, Defendants.	Case No. CGC-11-516116 COMPLAINT FOR INJUNCTIVE AND OTHER RELIEF Type of Case: (42) Other Complaint

The City and County of San Francisco ("the City"), a municipal corporation, and the People of the State of California ("People"), by and through Dennis J. Herrera, City Attorney for the City and County of San Francisco, (collectively "Plaintiffs") for their complaint against Thomas W. Liggons,

William B. Liggons, Gregory L. Liggons, James H. Liggons, and Rose Marie Warren ("Owners"), and Doe One through Doe Fifty (collectively "Defendants"), hereby allege as set forth below:

INTRODUCTION

1. This action arises out of Defendants' ownership, maintenance, operation and management of the residential property located at 709-711 Lyon Street, San Francisco, California ("the Property") in violation of state and local health and safety laws and as a public nuisance that substantially endangers the health, welfare and safety of the neighbors, the residents of the City and County of San Francisco, and the People of the State of California. Specifically, Defendants have jeopardized the welfare of residents and citizens by their longstanding failure and refusal to maintain their residential building, and by ignoring its severely deteriorated overall condition which includes: deteriorated rear and front stairs, a partial roof, rotted structural members, lack of weatherproofing, unsecured and falling boards, combustible materials accumulating in the yard, and other conditions substantially endangering the health and safety of tenants and the public in general, and a persistent lack of security resulting in trespassers entering onto the property.

2. Defendants have failed, and continue to fail, to comply with Notices of Violation issued by the Department of Building Inspection ("DBI" or "Building Inspection") on September 15, 2005 and December 18, 2007, which resulted in Orders of Abatement issued by DBI on October 6, 2006, and February 12, 2008, respectively. The Notices of Violation and Orders of Abatement specified the code violations and identified and set deadlines for what Defendants were required to do to abate the violations.

PARTIES AND SUBJECT PROPERTY

3. Plaintiff City and County of San Francisco is a municipal corporation, organized and existing under and by virtue of the laws of the State of California.

4. Plaintiff CITY AND COUNTY OF SAN FRANCISCO brings this action under the San Francisco Housing and Building Codes, and California Health and Safety Code Sections 17920 through 17992, also known as the State Housing Law.

5. Plaintiff PEOPLE OF THE STATE OF CALIFORNIA, by and through DENNIS J. HERRERA, City Attorney for the City and County of San Francisco, brings this action pursuant to Civil Code Sections 3479, 3480, 3491, 3494, and Code of Civil Procedure Section 731.

6. At all times herein mentioned, Defendants have been the sole owners, operators, managers, maintainers, or agents thereof of the real property and all buildings and other improvements located at 709-711 Lyon Street, Block 1159, Lot 004, in the City and County of San Francisco, State of California. The Property is more particularly described in Exhibit A, attached hereto and incorporated as part of this Complaint.

7. Defendants are sued in their capacity as owners and/or managers of the Property and as the persons committing the acts alleged in this Complaint or the persons directing the commission of the acts alleged in this Complaint.

8. Defendants DOE ONE through DOE FIFTY are sued herein under fictitious names. Plaintiffs do not at this time know the true names and capacities of these defendants, but pray that the same may be inserted when ascertained.

9. At all times herein mentioned, each Defendant was an agent, servant, employee, partner, franchisee, and joint venturer of the other defendant, and at all times was acting within the course and scope of this agency, service, employment, partnership, franchise, and joint venture.

10. Actions taken or omissions made by Defendants' employees, agents, or representatives in the course of their employment, agency, or representation shall be considered actions or omissions of Defendants for purposes of this Complaint.

11. Whenever reference is made in this Complaint to any act or omission of "Defendant(s)," such allegation shall mean that Defendant(s) did or authorized the act or omission, or recklessly and carelessly failed and omitted to supervise, control, or direct other persons who engaged in the act or omission.

GENERAL ALLEGATIONS

12. The Property is a single-family residential building.

13. Plaintiffs are informed and believe that Defendants have owned and managed the Property since 1994.

14. At all times herein referenced, Defendants' addresses of record, as listed at the San Francisco Assessor's Office, has been 709 Lyon Street, San Francisco, CA.

NOTICE OF VIOLATION 200563286

15. On September 15, 2005, Building Inspection inspected the exterior of the Property after receiving a complaint that the building was hazardous. On that same day, Building Inspection issued a Notice Of Violation numbered 200563286 ("NOV 200563286") to Defendants, describing the general state of disrepair, dilapidated rear stairs, collapsed rear door covered by a tarpaulin, rotted and decayed structural members, leaning supporting walls, a lack of weatherproofing, and combustible materials in the rear yard constituting a fire hazard. The NOV 200563286 identified the violations and required Defendants to apply for a building permit within 30 days and complete all repair work within 90 days. Building Inspection mailed a copy of the NOV 200563286 to Defendants at their then address of record: 709 Lyon Street, San Francisco, CA, 94102.

16. Defendants failed to comply with the NOV 200563286 dated September 15, 2005. On July 21, 2006, Building Inspection issued a second notice related to NOV 200563286, informing Defendants that they had failed to comply despite numerous extensions of time, and thus Building Inspection had initiated abatement proceedings. The July 21, 2006 notice also informed Defendants that they would be notified of the time, date, and place of a Director's Hearing. A true and correct copy of the September 15, 2005 and July 21, 2006 notices related to NOV 200563286 are attached hereto as Exhibit B and C and incorporated herein.

17. On September 6, 2006, Defendants applied for a building permit, numbered 200609061500, to perform a number of repairs, including but not limited to repairing rotted and decayed structure members, weatherproofing the building, repairing interior and exterior of the building including a joist in the crawl space and an interior wall, and removing combustible materials from the rear and side yards.

18. On or about October 5, 2006, Building Inspection held a Director's Hearing on NOV 200563286. The owners were represented at the hearing. On October 6, 2006, an Order of Abatement was issued by the Director of the Department of Building Inspection, numbered 101988-A ("2006 OOA"). The 2006 OOA declared the Property a public nuisance and ordered the owner to complete

all structural repairs under pending permit application 200609061500 within 30 days. A true and correct copy of the 2006 OOA is attached hereto as Exhibit D and incorporated as part of this Complaint.

19. The 2006 OOA was duly recorded with the office of the Assessor-Recorder.

20. Defendants did not comply with the 2006 OOA. Defendants' permit application 200609061500, which was approved and issued on September 6, 2006, expired on October 29, 2007 without any repair work being performed. Another permit application, numbered 200803036078, which Defendants applied for to renew permit 200609061500 and which was approved on March 3, 2008, expired as well on March 25, 2011. No repair work has been performed on the Property.

NOTICE OF VIOLATION 200733218

21. On or about December 3, 2007, Building Inspection inspected the exterior of the Property again after receiving a separate complaint that the building was abandoned and falling apart, its back steps were rotted, it had no roof, and it was an eyesore. On or about December 18, 2007, Building Inspection issued a Notice Of Violation numbered 200733218 ("NOV 200733218") to Defendants, noting those violations. It also noted that the previous NOV 200563286 had been issued on the same complaints, that an Order of Abatement had been issued on NOV 200563286, that permit #200609061500 had been issued to comply with the Order of Abatement, and that the permit had expired. NOV 20073218 required Defendant to apply for a building permit within 14 days and complete all repair work within 45 days. Building Inspection mailed a copy of the NOV 200733218 to Defendants at their then address of record: 709 Lyon Street, San Francisco, CA, 94102.

22. Defendants failed to comply with the NOV 200733218 dated December 18, 2007. On January 11, 2008, Building Inspection issued a second notice related to NOV 200733218, informing Defendants that they had failed to comply, and thus Building Inspection had initiated abatement proceedings. The January 11, 2008 notice also informed Defendants that they would be notified of the time, date, and place of a Director's Hearing. A true and correct copy of the December 18, 2007 and January 11, 2008 notices related to NOV 200733218 are attached hereto as Exhibit E and F and incorporated herein.

23. On or about February 7, 2008, Building Inspection held a Director's Hearing on NOV 200733218. The owners were represented at the hearing. On or about February 12, 2008, an Order of Abatement was issued by the Director of the Department of Building Inspection pertaining to NOV 200733218 ("2008 OOA"). The 2008 OOA, which was numbered 102678-A, declared the Property a public nuisance and ordered the owner to obtain a permit to repair the front stairs within 30 days. A true and correct copy of the 2008 OOA is attached hereto as Exhibit G and incorporated as part of this Complaint.

24. The 2008 OOA was duly recorded with the office of the Assessor-Recorder.

25. Defendants did not comply with the 2008 OOA. On September 18, 2008, Defendants applied for a building permit, numbered 200809182030, to perform a number of repairs, including but not limited to replacing the front and back wood stairs in-kind and replacing the entire building foundation. The permit application referenced both NOV 200563286 and NOV 200733218, described above. However, as of the date of the filing of this Complaint, no repair work has been performed on the Property.

26. Defendants have ignored Building Inspection's duly issued administrative Notices and Orders, have failed and refused to abate the cited code violations, and have maintained, and continue to maintain, the Property as a public nuisance and in substandard condition in violation of the San Francisco Housing and Building Codes, the California Health and Safety Code, and the California Civil Code.

27. At the time of trial, Plaintiffs will move the Court to amend this Complaint to include any conditions discovered after the filing of this Complaint.

COMMUNICATIONS WITH CITY ATTORNEY

28. In late March 2011, a loose wooden board, with protruding nails fell onto the property located at 713 Lyon Street, an inhabited property next to 709-711 Lyon. The board had been on the roof of the Property, and had served to fasten a tarp to the rotted roof. The board missed a glass window at 713 Lyon Street by inches. After immediate contact from the City Attorney's Office regarding the conditions found and documented by Building Inspection and the imminent danger to

the health and safety of residents of the neighborhood, Defendant GREGORY LIGGONS communicated with the City Attorney's Office and indicated Defendants' intention to make repairs.

29. Despite Defendants' stated intention, as of the date of filing this Complaint Defendants have failed and refused to abate the cited code violations, and have maintained, and continue to maintain, the Property as a public nuisance and in substandard condition in violation of the San Francisco Housing and Building Codes, the California Health and Safety Code, and the California Civil Code. The violations are still outstanding, and Defendants have abated none of the conditions described herein.

FIRST CAUSE OF ACTION FOR VIOLATION OF THE STATE HOUSING LAW BROUGHT BY PLAINTIFFS THE CITY AND COUNTY OF SAN FRANCISCO AND THE PEOPLE OF THE STATE OF CALIFORNIA AGAINST ALL DEFENDANTS (Health and Safety Code Sections 17920-17980.9)

30. Plaintiffs hereby incorporate by reference paragraphs 1-29, above, as though fully set forth herein.

31. Defendants are now, and for a considerable period of time heretofore, and at all relevant times herein mentioned have been, maintaining the Property as a substandard building as defined by Health and Safety Code Section 17920.3, which substantially endangers the life, limb, health, property, safety, or welfare of the public.

32. At all times herein mentioned Defendants have had notice and knowledge that said premises constituted a substandard building because they were served with administrative Notices and Orders issued by Building Inspection.

33. Plaintiffs have no adequate remedy at law in that damages are insufficient to protect the public from the harm caused by the conditions described above.

34. Unless injunctive relief is granted, the residents of the Property and the residents and citizens of the City and County of San Francisco and the People of the State of California, will suffer irreparable injury and damage, in that said conditions will continue to be injurious to the continuous enjoyment of the life and the free use of property of said residents of the City and County of San Francisco and the People of the State of California.

SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE
BY PLAINTIFFS AGAINST ALL DEFENDANTS
COUNT ONE
PUBLIC NUISANCE PER SE
(San Francisco Building Codes)

35. Plaintiffs hereby incorporate by reference paragraphs 1-34, above, as though fully set forth herein.

36. Plaintiff City and County of San Francisco brings this cause of action pursuant to the San Francisco Building Codes.

37. Defendants are now, and for a considerable period of time and at all relevant times herein mentioned have been, maintaining the Property in violation of the San Francisco Building Code. Pursuant to Building Code Section 102, any building, structure, property, or part thereof, that is structurally unsafe or not provided with adequate egress, or that constitute a fire hazard, or is otherwise dangerous to human life, safety, or health of the occupants or the occupants of adjacent properties or the public by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or was erected, moved, altered, constructed or maintained in violation of law or ordinance is unsafe and a public nuisance.

38. Defendants are now, and for a considerable period of time and at all relevant times herein mentioned have been, maintaining the Property in a manner that is structurally unsafe and not provided with adequate egress, that constitutes a fire hazard, or is otherwise dangerous to human life, safety or health of the occupants or the occupants of adjacent properties or the public by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, and have erected, moved, altered, constructed or maintained the Property in violation of law or ordinance. The conditions constituting the public nuisance are more fully described above and in Exhibits B through G.

39. At all times herein mentioned Defendants have had notice and knowledge that the Property constituted a public nuisance and an unsafe building or structure because they were served with administrative Notices and Orders issued by Building Inspection, but failed and refused to take reasonable steps to abate the nuisance.

40. Plaintiff has no adequate remedy at law in that damages are insufficient to protect the public from the present danger and harm caused by the conditions described above.

41. Unless said nuisance is abated, the residents of the adjacent properties, the surrounding neighborhood, and the residents and citizens of the City and County of San Francisco and the People of the State of California, will suffer irreparable injury and damage, in that said conditions will continue to be injurious to the continuous enjoyment of the life and the free use of property of said residents of the City and County of San Francisco and the People of the State of California.

42. By maintaining the Property in a manner violating the San Francisco Building Code, Defendants have violated, disobeyed, omitted, neglected and refused to comply with the San Francisco Building Code and the orders issued by Building Inspection and Defendants are thus subject to civil penalties up to $500 per day for each day that such violations existed and were permitted to continue as set forth in Building Code Section 103.

COUNT TWO
GENERAL PUBLIC NUISANCE STATUTE
(Civil Code Sections 3479, 3480)

43. Plaintiffs hereby incorporate by reference Paragraphs 1 through 42, above, as though fully set forth herein.

44. As described above, Defendants are now, and for a considerable period of time, and all relevant times, have been, maintaining the Property in such a manner as to constitute a continuing public nuisance within the meaning of Civil Code Sections 3479 and 3480. The practices described above are injurious to the health and safety of the residents and the community, are offensive to the senses, and interfere with the comfortable enjoyment of life and property. The practices described above also affect a considerable number of persons and an entire community or neighborhood.

45. At all times herein mentioned, Defendants knew or should have known that the Property was being maintained as a public nuisance, as alleged in the Complaint, but failed and refused to take reasonable steps to abate the nuisance.

46. Unless enjoined, Defendants will continue to operate the Property in the above-described condition as a public nuisance.

47. Plaintiffs have no adequate remedy at law in that damages are insufficient to protect the public from the present danger and harm caused by the conditions described above. Unless injunctive relief is granted to enjoin Defendants, the public will suffer irreparable injury and damage.

48. Unless this nuisance is abated, the community, neighborhood, and the residents and citizens of the State of California and the City and County of San Francisco will suffer irreparable injury and damage, in that said conditions will continue to be injurious to the enjoyment and the free use of the life and property of said residents and citizens of the State of California and the City and County of San Francisco.

THIRD CAUSE OF ACTION FOR NON-COMPLIANCE WITH AN ORDER OF ABATEMENT ISSUED BY THE SAN FRANCISCO DEPARTMENT OF BUILDING INSPECTION BROUGHT BY PLAINTIFF CITY AND COUNTY OF SAN FRANCISCO AGAINST ALL DEFENDANTS (San Francisco Building Code Sections 102 And 103)

49. Plaintiff hereby incorporates by reference Paragraphs 1 through 48, above, as though fully set forth.

50. As described above, and as set forth in the Exhibits to this Complaint, the Department of Building Inspection issued Notices of Violation pursuant to San Francisco Building Codes.

51. Defendants failed to comply with the Notices of Violation, by continuing to allow the Property to remain in an unsafe and illegal condition for a substantial period of time.

52. As described above, and as set forth in the Exhibits to this Complaint, the Director of the Department of Building Inspection issued Orders of Abatement.

53. Defendants, owners of the Property, failed to comply with the Orders of Abatement, by continuing to maintain the substandard, unsafe, dilapidated condition of the Premises and by not filing the necessary building permit applications to repair the unsafe conditions.

54. Defendants are subject to civil penalties of up to $500.00 for each day that they failed to comply with the Building Inspection's Notices of Violation and Orders of Abatement, as set forth in Building Code Section 103.

WHEREFORE, Plaintiffs pray that:

1. Defendants be declared to have violated Health and Safety Code Section 17980, the San Francisco Building Codes, and Civil Code Sections 3479, 3480;

2. The property and structure located at 709-711 Lyon Street, together with the fixtures and moveable property therein and thereon, be declared a public nuisance and a per se public nuisance,

to be permanently abated in accordance with Health and Safety Code Section 17980, San Francisco Building Code Section 102, Civil Code Section 3479, and Code of Civil Procedure Section 731;

3. Defendants and their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees, be permanently enjoined from operating, conducting, using, occupying, or in any way permitting the use of the property and structures at 709-711 Lyon Street as a public nuisance;

4. Defendants and their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees be permanently enjoined from operating, conducting, using, occupying, or in any way permitting the use of the property and structures at 709-711 Lyon Street, in violation of Health and Safety Code Section 17980, the San Francisco Housing Code, the San Francisco Building Code, and Civil Code Sections 3479 and 3480;

5. Defendants, their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees be preliminarily and permanently enjoined from operating, conducting, using, renting, leasing, occupying, or in any way permitting the use of the property and structures at 709-711 Lyon Street until the Property and all parts thereto conform to law;

6. Defendants, their agents, officers, managers, representatives, employees, and anyone acting on their behalf, and their heirs and assignees be ordered to immediately cause the Property and all parts thereof to conform to law;

7. Pursuant to San Francisco Building Code Section 103, Defendants be ordered to pay a civil penalty of $500 for each day that the Building Code violations alleged in this Complaint occurred or were permitted to continue;

8. Plaintiffs shall have a lien upon said premises in the amount expended to abate the violations and to have judgment in said amount against Defendants, their successors and assigns;

9. Recordation of an abstract of judgment in this case constitutes a prior lien over any lien that may be held on the property by any defendant to this action;

10. Defendants, their agents, officers, managers, representatives, employees, and anyone acting on their behalf, shall pay all assessment costs, pursuant to Building Code Section 102;

11. Plaintiffs shall be awarded attorneys' fees and costs pursuant to Health and Safety Code Section 17980.7;

12. Pursuant to Health and Safety Code Section 17980.7(c) and CCP §§564-570 if Defendants fail to abate the violations, the Court appoint a receiver to manage the Property and correct the violations at the expense of Defendants;

13. Plaintiffs be awarded costs incurred herein; and

14. Plaintiffs shall have such further and other relief as the court deems just.

Dated: November 23, 2011

DENNIS J. HERRERA
City Attorney
ALEX G. TSE
Chief Attorney
Neighborhood and Resident Safety Division
CELIA W. LEE
Deputy City Attorney

By: _____
CELIA W. LEE
Attorneys for Plaintiffs
CITY AND COUNTY OF SAN FRANCISCO AND
PEOPLE OF THE STATE OF CALIFORNIA

INDEX TO EXHIBITS

Exhibit	Description
A	Property Description for 709-711 Lyon Street, San Francisco, California
B	Notice of Violation 200563286, dated September 15, 2005
C	Notice of violation 200563286, dated July 21, 2006 (second notice)
D	Order of Abatement dated October 6, 2006, numbered 101988-A
E	Notice of Violation 200733218, dated December 18, 2007
F	Notice of Violation 200733218, dated January 11, 2008 (second notice)
G	Order of Abatement dated February 12, 2008, numbered 102678-A

EXHIBIT A

Property Address:

709-711 Lyon Street

All that certain real property situated in the City and County of San Francisco, State of California, described as follows:

Beginning at a point on the westerly line of Lyon Street, distant thereon 100 feet northerly from the northerly line of McAllister Street; running thence northerly along said line of Lyon Street, 37 feet, 6 inches; thence at a right angle westerly 100 feet; thence at a right angle southerly 37 feet, 6 inches; thence at a right angle easterly 100 feet to the point of beginning.

BEING a portion of WESTERN ADDITION BLOCK No. 611

Assessor's Lot 4; Block 1159

NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION **NOTICE:** 1 **NUMBER:** 200563286
City and County of San Francisco **DATE:** 15-SEP-05
1660 Mission St. San Francisco, CA 94103

ADDRESS: 709 LYON ST
OCCUPANCY/USE: R-3 ((I) RESIDENTIAL) **BLOCK:** 1159 **LOT:** 004

☐ **If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.**

OWNER/AGENT: LIGGONS THOMAS W & WILLIAM B **PHONE #:** --
MAILING ADDRESS LIGGONS THOMAS W & WILLIAM
709 LYON ST
SAN FRANCISCO CA
94115

PERSON CONTACTED @ SITE: **PHONE #:** --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☐ **WORK WITHOUT PERMIT**	106.1.1
☐ **ADDITIONAL WORK-PERMIT REQUIRED**	106.4.7
☐ **EXPIRED OR** ☐ **CANCELLED PERMIT PA#:**	106.4.4
☑ **UNSAFE BUILDING** ☐ **SEE ATTACHMENTS**	102.1

Subject property is in a general state of disrepair. Rear stairs are delapidated / collapsedm, rear door opeing covered by tarpaulin, structural members are rotted / decayed, supporting walls are leaning / listing, building is not weatherproof, rear yard is full of combustible materials constituting a fire hazard.

CORRECTIVE ACTION:

☐ **STOP ALL WORK SFBC 104.2.4**

415-558-6120

☑ **FILE BUILDING PERMIT WITHIN 30 DAYS** ☐ **(WITH PLANS)** A copy of This Notice Must Accompany the Permit Application

☑ **OBTAIN PERMIT WITHIN 60 DAYS AND COMPLETE ALL WORK WITHIN 90 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.**

☐ **CORRECT VIOLATIONS WITHIN DAYS.** ☐ **NO PERMIT REQUIRED**

☐ **YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.**

- **FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.**

Obtain building permit to address building code issues listed above and clear side and rear yards of combustible materials.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

☐ 9x FEE (WORK W/O PERMIT AFTER 9/1/60) ☐ 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)

☐ OTHER: ☐ REINSPECTION FEE $ ☐ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT **VALUE OF WORK PERFORMED W/O PERMITS $**

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy
PHONE # 415-558-6120 DIVISION: BID DISTRICT :
By:(Inspectors's Signature) _____

NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NOTICE: 2

NUMBER: 200563286
DATE: 21-JUL-06

ADDRESS: 709 LYON ST
OCCUPANCY/USE: R-3 ((I) RESIDENTIAL)

BLOCK: 1159 LOT: 004

☐ If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: LIGGONS THOMAS W & WILLIAM B
MAILING ADDRESS: LIGGONS THOMAS W & WILLIAM
709 LYON ST
SAN FRANCISCO CA
94115

PHONE #: --

PERSON CONTACTED @ SITE: LIGGONS THOMAS W & WILLIAM B L

PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☐ WORK WITHOUT PERMIT	106.1.1
☐ ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
☐ EXPIRED OR ☐ CANCELLED PERMIT PA#:	106.4.4
☑ UNSAFE BUILDING ☐ SEE ATTACHMENTS	102.1

YOU FAILED TO COMPLY WITH NOTICE OF VIOLATION DATED 9/15/05 (NUMEROUS EXTENSIONS OF TIME GRANTED TO ABATE CONDITIONS) THEREFORE THIS DEPARTMENT HAS INITIATED ABATEMENT PROCEEDINGS AGAINST THE PROPERTY.

CORRECTIVE ACTION:

☐ **STOP ALL WORK SFBC 104.2.4**

415-558-6120

☐ **FILE BUILDING PERMIT WITHIN DAYS** ☐ **(WITH PLANS)** A copy of This Notice Must Accompany the Permit Application

☐ **OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.**

☐ **CORRECT VIOLATIONS WITHIN DAYS.** ☐ **NO PERMIT REQUIRED**

☑ **YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED 15-SEP-06, THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.**

- **FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.**

YOU WILL BE NOTIFIED OF TIME, DATE AND PLACE OF DIRECTORS HEARING BY CODE ENFORCEMENT DIVISION, CODE ENFORCEMENT DIVISION PHONE NUMBER IS 558-6454.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

☐ 9x FEE (WORK W/O PERMIT AFTER 9/1/60) ☐ 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)

☐ OTHER: ☐ REINSPECTION FEE $ ☐ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT **VALUE OF WORK PERFORMED W/O PERMITS $**

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy
PHONE # 415-558-6120 DIVISION: BID DISTRICT :
By:(Inspectors's Signature) _____

RECORDING REQUESTED BY:

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
CODE ENFORCEMENT SECTION
1660 Mission Street
San Francisco, CA 94103-2414

Telephone NO: (415) 558-6454

WHEN RECORDED MAIL TO:

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
1660 Mission Street
San Francisco, CA 94103-2414

[redacted]
San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2006-I271430-00
Acct 40-SFCC Bureau Of Building Inspections
Wednesday, OCT 18, 2006 09:14:28
Ttl Pd $0.00 Nbr-0003100145
REEL J248 IMAGE 0237
oke/KC/1-2

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLES

ORDER OF ABATEMENT – ORDER # 101988-A

LOCATION: 709 LYON ST.

BLOCK: 1159 LOT: 004

DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
1660 Mission Street , San Francisco, CA 94103-2414

October 6, 2006

ORDER OF ABATEMENT

Owner:
LIGGONS THOMAS W & WILLIAM
709 LYON ST
SAN FRANCISCO CA
94115

Property Address: 709 LYON ST,

Block: 1159 **Lot: 004** **Seq: 01**
Tract: **Case: BWO**
Complaint: 200563286

Inspector: Hinchion

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102.5 & 102.6 ORDER NO. **101988-A**

HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON **October 5, 2006** IN ACCORDANCE WITH THE SAN FRANCISCO BUILDING CODE SECTION 102.4. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE DIRECTOR. **THE OWNER WAS REPRESENTED.**

BASED UPON THE FACTS AS SUBMITTED AT THE HEARING, THE DIRECTOR FINDS AND DETERMINES AS FOLLOWS:

1. THAT NOTICE HAS BEEN DULY GIVEN AS REQUIRED BY LAW AND THE ORDER OF THE DIRECTOR, AND MORE THAN 10 DAYS PRIOR TO THE HEARING.
2. THAT THE CONDITIONS ARE AS STATED IN THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION.
3. THAT THE CONDITIONS OF SAID STRUCTURE CONSTITUTES A PUBLIC NUISANCE UNDER THE TERMS OF THE BUILDING CODE OF THE CITY AND COUNTY OF SAN FRANCISCO.

THE DIRECTOR HEREBY ORDERS THE OWNER OF SAID BUILDING TO COMPLY WITH THE FOLLOWING:

1) 30 DAYS TO COMPLETE ALL STRUCTURAL REPAIRS UNDER PERMIT APPLICATION # 200609061500, INCLUDING A FINAL INSPECTION APPROVAL

THE TIME PERIOD SHALL COMMENCE FROM THE DATE OF THIS ORDER. THE DEPARTMENT OF BUILDING INSPECTION SHALL BE REIMBURSED BY THE OWNER OF SAID BUILDING FOR ABATEMENT COSTS PURSUANT TO THE ATTACHED AND FUTURE NOTICES.

APPEAL: PURSUANT TO SECTION 105.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105.2 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO WORK WITHOUT PERMIT MAY BE APPEALED TO THE ABATEMENT APPEALS BOARD. APPEALS MUST BE IN WRITING ON FORMS OBTAINED FROM THE APPROPRIATE APPEALS BODY AT 1660 MISSION ST., SAN FRANCISCO, CA 94103, Tel: (558-6454), AND MUST BE FILED WITH THE SECRETARY OF THE APPEALS BODY WITHIN TEN (10) DAYS OF THE POSTING AND SERVICE OF THIS ORDER.

RECOMMENDED BY:

Carla Johnson
Chief Building Inspector
Code Enforcement Division
Phone No. (415) 558-6135

APPROVED BY:

Amy Lee, Acting Director
Department of Building Inspection
Fax No. (415) 558-6474

NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe,
Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION
City and County of San Francisco
1660 Mission St. San Francisco, CA 94103

NOTICE: 1

NUMBER: 200733218
DATE: 18-DEC-07

ADDRESS: 709 LYON ST
OCCUPANCY/USE: R-3 ((I) RESIDENTIAL)

BLOCK: 1159 LOT: 004

☐ If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.

OWNER/AGENT: LIGGONS THOMAS W & WILLIAM B
MAILING ADDRESS: LIGGONS THOMAS W & WILLIAM
709 LYON ST
SAN FRANCISCO CA
94115

PHONE #: --

PERSON CONTACTED @ SITE: LIGGONS THOMAS W & WILLIAM B L PHONE #: --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☐ WORK WITHOUT PERMIT	106.1.1
☐ ADDITIONAL WORK-PERMIT REQUIRED	106.4.7
☑ EXPIRED OR ☐ CANCELLED PERMIT PA#:	106.4.4
☑ UNSAFE BUILDING ☐ SEE ATTACHMENTS	102.1

Building is abandoned. Rear stairs are rotted out, roof partially gone peeling paint. Front stairs unsafe. Same complaint as CTS #200563286. Order of Abatement issued on this complaint. Permit #200609061500 issued to comply with Order of Abatement. This permit expired without the necessary work performed. SFBC Section 102, 3402 & 106.4.4, SFHC Section 1001.

CORRECTIVE ACTION:

☐ **STOP ALL WORK SFBC 104.2.4**

415-558-6120

☑ **FILE BUILDING PERMIT WITHIN 14 DAYS** ☐ **(WITH PLANS)** A copy of This Notice Must Accompany the Permit Application

☑ **OBTAIN PERMIT WITHIN 28 DAYS AND COMPLETE ALL WORK WITHIN 45 DAYS, INCLUDING FINAL INSPECTION SIGNOFF.**

☐ **CORRECT VIOLATIONS WITHIN DAYS.** ☐ **NO PERMIT REQUIRED**

☐ **YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED , THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.**

- **FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.**

Renew permit to perform the required repairs and carry out same repair.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

☐ 9x FEE (WORK W/O PERMIT AFTER 9/1/60) ☐ 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)

☐ OTHER: ☐ REINSPECTION FEE $ ☐ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT VALUE OF WORK PERFORMED W/O PERMITS $

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy
PHONE # 415-558-6120 DIVISION: BID DISTRICT :
By:(Inspectors's Signature) _____

NOTICE OF VIOLATION

of the San Francisco Municipal Codes Regarding Unsafe, Substandard or Noncomplying Structure or Land or Occupancy

DEPARTMENT OF BUILDING INSPECTION **NOTICE:** 2 **NUMBER:** 200733218
City and County of San Francisco **DATE:** 11-JAN-08
1660 Mission St. San Francisco, CA 94103

ADDRESS: 709 LYON ST
OCCUPANCY/USE: R-3 (RESIDENTIAL- 1 & 2 UNIT DWELLINGS,TOWNHOUSES **BLOCK:** 1159 **LOT:** 004

☐ **If checked, this information is based upons site-observation only. Further research may indicate that legal use is different. If so, a revised Notice of Violation will be issued.**

OWNER/AGENT: LIGGONS THOMAS W & WILLIAM H **PHONE #:** --
MAILING ADDRESS LIGGONS THOMAS W & WILLIAM
709 LYON ST
SAN FRANCISCO CA
94115

PERSON CONTACTED @ SITE: LIGGONS THOMAS W & WILLIAM H L **PHONE #:** --

VIOLATION DESCRIPTION:

	CODE/SECTION#
☐ **WORK WITHOUT PERMIT**	106.1.1
☐ **ADDITIONAL WORK-PERMIT REQUIRED**	106.4.7
☐ **EXPIRED OR** ☐ **CANCELLED PERMIT PA#:**	106.4.4
☐ **UNSAFE BUILDING** ☐ **SEE ATTACHMENTS**	102.1

You failed to comply with Notice of Violation dated 12/18/07. Therefore, this department has initiated abatement proceedings against the property. SFBC Section 102, 3402, 106.4.4, SFHC Section 1001.

CORRECTIVE ACTION:

☐ **STOP ALL WORK SFBC 104.2.4**

415-558-6120

☐ **FILE BUILDING PERMIT WITHIN DAYS** ☐ **(WITH PLANS)** A copy of This Notice Must Accompany the Permit Application

☐ **OBTAIN PERMIT WITHIN DAYS AND COMPLETE ALL WORK WITHIN DAYS, INCLUDING FINAL INSPECTION AND SIGNOFF.**

☐ **CORRECT VIOLATIONS WITHIN DAYS.** ☐ **NO PERMIT REQUIRED**

☑ **YOU FAILED TO COMPLY WITH THE NOTICE(S) DATED 18-DEC-07, THEREFORE THIS DEPT. HAS INITIATED ABATEMENT PROCEEDINGS.**

- **FAILURE TO COMPLY WITH THIS NOTICE WILL CAUSE ABATEMENT PROCEEDINGS TO BEGIN. SEE ATTACHMENT FOR ADDITIONAL WARNINGS.**

You will be notified of time, date & place of Director's Hearing by Code Enforcement Division.

INVESTIGATION FEE OR OTHER FEE WILL APPLY

☐ 9x FEE (WORK W/O PERMIT AFTER 9/1/60) ☐ 2x FEE (WORK EXCEEDING SCOPE OF PERMIT)

☐ OTHER: ☐ REINSPECTION FEE $ ☐ NO PENALTY (WORK W/O PERMIT PRIOR TO 9/1/60)

APPROX. DATE OF WORK W/O PERMIT **VALUE OF WORK PERFORMED W/O PERMITS $**

BY ORDER OF THE DIRECTOR, DEPARTMENT OF BUILDING INSPECTION

CONTACT INSPECTOR: Donal J Duffy
PHONE # 415-558-6120 DIVISION: BID DISTRICT :
By:(Inspectors's Signature) _____

RECORDING REQUESTED BY:

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING
INSPECTION
CODE ENFORCEMENT SECTION
1650 Mission Street
San Francisco, CA 94103-2414

Telephone NO: (415) 558-6454

WHEN RECORDED MAIL TO:

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF BUILDING INSPECTION
1650 Mission Street
San Francisco, CA 94103-2414

[redacted]
San Francisco Assessor-Recorder
Phil Ting, Assessor-Recorder
DOC- 2008-I560055-00
Acct 40-SFCC Bureau Of Building Inspections
Monday, MAR 31, 2008 11:39:20
Ttl Pd $0.00 Rcpt # 0003430834
REEL J609 IMAGE 0345
cgi/GG/1-2

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

TITLES

ORDER OF ABATEMENT – ORDER #102678-A

LOCATION: 709 LYON STREET

BLOCK: 1159 LOT: 004

DEPARTMENT OF BUILDING INSPECTION
City & County of San Francisco
1660 Mission Street , San Francisco, CA 94103-2414

February 12, 2008

ORDER OF ABATEMENT

Owner:
LIGGONS THOMAS W & WILLIAM
709 LYON ST
SAN FRANCISCO CA
94115

Property Address: 709 LYON ST,

Block: 1159 Lot: 004 Seq: 01
Tract: Case: BW1
Complaint: 200733218

Inspector: Hinchion

ORDER OF ABATEMENT UNDER SAN FRANCISCO BUILDING CODE SECTION 102.5 & 102.6 ORDER NO. **102678-A**

HEARING OF THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION AGAINST THE PROPERTY AT THE LOCATION SHOWN ABOVE WAS HELD ON **February 7, 2008** IN ACCORDANCE WITH THE SAN FRANCISCO BUILDING CODE SECTION 102.4. THE HEARING WAS CONDUCTED BY A REPRESENTATIVE OF THE DIRECTOR. **THE OWNER WAS REPRESENTED.**

BASED UPON THE FACTS AS SUBMITTED AT THE HEARING, THE DIRECTOR FINDS AND DETERMINES AS FOLLOWS:

1. THAT NOTICE HAS BEEN DULY GIVEN AS REQUIRED BY LAW AND THE ORDER OF THE DIRECTOR, AND MORE THAN 10 DAYS PRIOR TO THE HEARING.
2. THAT THE CONDITIONS ARE AS STATED IN THE COMPLAINT OF THE DIRECTOR OF THE DEPARTMENT OF BUILDING INSPECTION.
3. THAT THE CONDITIONS OF SAID STRUCTURE CONSTITUTES A PUBLIC NUISANCE UNDER THE TERMS OF THE BUILDING CODE OF THE CITY AND COUNTY OF SAN FRANCISCO.

THE DIRECTOR HEREBY ORDERS THE OWNER OF SAID BUILDING TO COMPLY WITH THE FOLLOWING:

(1) 30 DAYS TO OBTAIN PERMIT TO REPAIR FRONT STAIRS, INCLUDING FINAL INSPECTION APPROVAL.

THE TIME PERIOD SHALL COMMENCE FROM THE DATE OF THIS ORDER. THE DEPARTMENT OF BUILDING INSPECTION SHALL BE REIMBURSED BY THE OWNER OF SAID BUILDING FOR ABATEMENT COSTS PURSUANT TO THE ATTACHED AND FUTURE NOTICES.

APPEAL: PURSUANT TO SECTION 105.3 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO DISABLED ACCESS MAY BE APPEALED TO THE ACCESS APPEALS COMMISSION. PURSUANT TO SECTION 105.2 OF THE SAN FRANCISCO BUILDING CODE, ORDERS PERTAINING TO WORK WITHOUT PERMIT MAY BE APPEALED TO THE ABATEMENT APPEALS BOARD. APPEALS MUST BE IN WRITING ON FORMS OBTAINED FROM THE APPROPRIATE APPEALS BODY AT 1660 MISSION ST., SAN FRANCISCO, CA 94103, Tel: (558-6454), AND MUST BE FILED WITH THE SECRETARY OF THE APPEALS BODY WITHIN TEN (10) DAYS OF THE POSTING AND SERVICE OF THIS ORDER.

RECOMMENDED BY:

Joseph Duffy
Acting Chief of Building Inspection

Phone No. (415) 558-6096

APPROVED BY:

Isam Hasenin, P.E., C.B.O.
Director / Department of Building Inspection
Fax No. (415) 558-6474

ORIGINAL

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):	FOR COURT USE ONLY
DENNIS J. HERRERA, City Attorney ALEX G. TSE, Chief Attorney (#152348) CELIA W. LEE, Deputy City Attorney (SBN 172981) 1390 Market Street, Sixth Floor San Francisco, CA 94102 TELEPHONE NO.: 415-554-3858 FAX NO.: 415-437-4644 ATTORNEY FOR (Name): Plaintiffs City and County of San Francisco, et al.	FILED San Francisco County Superior Court NOV 23 2011 CLERK OF THE COURT BY: Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: 400 McAllister Street, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: SAN FRANCISCO	
CASE NAME: CITY AND COUNTY OF SAN FRANCISCO v. THOMAS W. LIGGONS	

CIVIL CASE COVER SHEET	Complex Case Designation	CASE NUMBER:
[x] Unlimited (Amount demanded exceeds $25,000) [ ] Limited (Amount demanded is $25,000 or less)	[ ] Counter [ ] Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	CGC-11-516116 JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort
- [ ] Auto (22)
- [ ] Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
- [ ] Asbestos (04)
- [ ] Product liability (24)
- [ ] Medical malpractice (45)
- [ ] Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort
- [ ] Business tort/unfair business practice (07)
- [ ] Civil rights (08)
- [ ] Defamation (13)
- [ ] Fraud (16)
- [ ] Intellectual property (19)
- [ ] Professional negligence (25)
- [ ] Other non-PI/PD/WD tort (35)

Employment
- [ ] Wrongful termination (36)
- [ ] Other employment (15)

Contract
- [ ] Breach of contract/warranty (06)
- [ ] Rule 3.740 collections (09)
- [ ] Other collections (09)
- [ ] Insurance coverage (18)
- [ ] Other contract (37)

Real Property
- [ ] Eminent domain/Inverse condemnation (14)
- [ ] Wrongful eviction (33)
- [ ] Other real property (26)

Unlawful Detainer
- [ ] Commercial (31)
- [ ] Residential (32)
- [ ] Drugs (38)

Judicial Review
- [ ] Asset forfeiture (05)
- [ ] Petition re: arbitration award (11)
- [ ] Writ of mandate (02)
- [ ] Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
- [ ] Antitrust/Trade regulation (03)
- [ ] Construction defect (10)
- [ ] Mass tort (40)
- [ ] Securities litigation (28)
- [ ] Environmental/Toxic tort (30)
- [ ] Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment
- [ ] Enforcement of judgment (20)

Miscellaneous Civil Complaint
- [ ] RICO (27)
- [x] Other complaint *(not specified above)* (42)

Miscellaneous Civil Petition
- [ ] Partnership and corporate governance (21)
- [ ] Other petition *(not specified above)* (43)

2. This case [ ] is [x] is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
   a. [ ] Large number of separately represented parties
   b. [ ] Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
   c. [ ] Substantial amount of documentary evidence
   d. [ ] Large number of witnesses
   e. [ ] Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
   f. [ ] Substantial postjudgment judicial supervision
3. Remedies sought *(check all that apply)*: a. [x] monetary b. [x] nonmonetary; declaratory or injunctive relief c. [ ] punitive
4. Number of causes of action *(specify)*: Three
5. This case [ ] is [x] is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. *(You may use form CM-015.)*

Date: November 23, 2011

CELIA W. LEE, Deputy City Attorney
(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE
- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 [Rev. July 1, 2007]

Legal Solutions Plus

Cal. Rules of Court, rules 2.30, 3.220, 3.400–3.403, 3.740; Cal. Standards of Judicial Administration, std. 3.10